

## Get the Facts

Do you have a criminal record?  
For people convicted of a crime,  
finding housing and employment  
can be extremely difficult.

This pamphlet provides  
information to help people with  
criminal records understand  
employment and housing laws.

### Denied a job because of your criminal record?

People with criminal records are not protected  
as a group under civil rights law. However,  
you may be able to file a charge of  
discrimination based on race if you have been  
denied a job based on a past arrest or  
conviction. For more information, contact the  
Seattle Office for Civil Rights (SOCR) as soon  
as possible. A charge must be filed within  
180 days of the date of the alleged incident.

The Equal Employment Opportunity  
Commission has recognized that employers'  
policies or practices of not hiring people  
based on their conviction records has a  
disparate impact on African American and  
Latino workers. Statistics show that African  
Americans and Latinos are convicted at a  
disproportionately higher rate than their  
representation in the population.

Once you file a charge, SOCR will investigate  
your case. Call us at 206-684-4500 to speak  
to our intake investigator.

## Resources

King County Bar Association  
Neighborhood Legal Clinics  
206- 267-7070

Call to meet with a volunteer attorney for  
up to 30 minutes of free legal advice and  
consultation. For civil cases only.

King County Bar Association  
Lawyer Referral Services  
206-267-7010

Free referral to lawyers.

Northwest Justice Project  
206-464-1519

Free civil legal services to low-income people.

ACLU of Washington Foundation  
206-624-2180

Free legal information and referral.

Northwest Women's Law Center  
206-621-7691

Free legal information and referral.

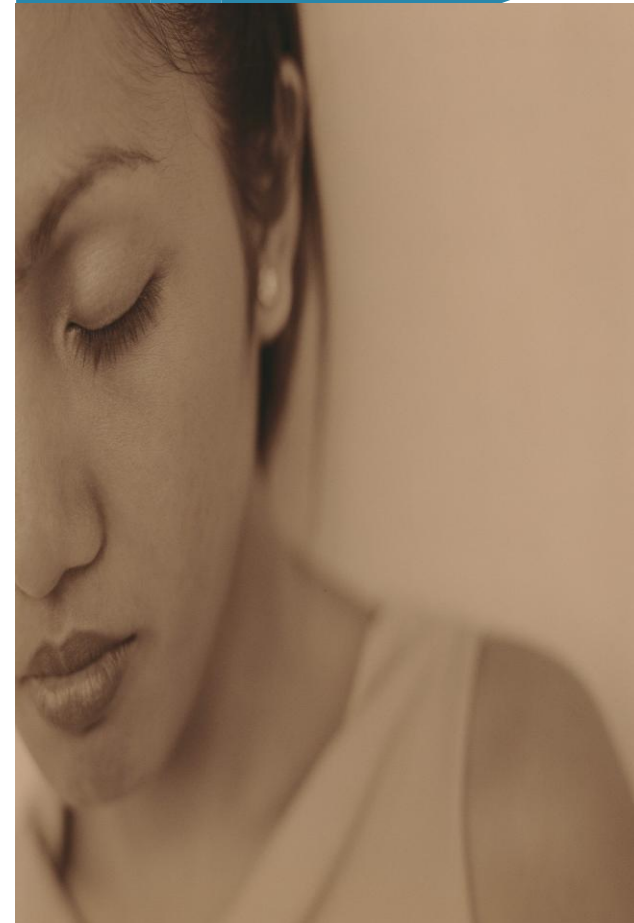
Information for this pamphlet was provided by the  
Seattle Housing Authority, U.S. Department of  
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### Seattle Office for Civil Rights

810 Third Avenue, Suite 750  
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[www.seattle.gov/civilrights/](http://www.seattle.gov/civilrights/)

 **Seattle Office**  
**for Civil Rights**

## Employment and Housing Facts for People with Criminal Records



## Getting a Job

*I'm applying for a job as a gardener at a state university. I was convicted of forgery in 1995. Can they deny me employment based on my record?*

No. Public agencies (cities, counties, publicly funded schools, etc.) in Washington State are not allowed to discriminate against someone only on the basis of a past criminal record. If it is less than 10 years since the conviction occurred they can deny employment if the conviction directly relates to the job. This law does **not** apply to law enforcement agencies and jobs that provide unsupervised access to children and vulnerable adults.

*Can a private employer decide not to hire me because I served time in prison five years ago?*

Employers who deny employment based on a criminal record should be denying because the conviction is related to the job and they have a business necessity for denial. If you feel they are wrongly denying you a job you can contact our office to explore your options under the law.

*I was arrested two years ago but was never convicted. Can I be denied a job for this?*

No. Employers are not allowed to deny a job based on an arrest that did not lead to a conviction. (Applies to businesses with 15 or more employees) In Washington, employers can ask applicants about arrests that happened within the last 10 years even if those arrests did **not** lead to a conviction. They must ask if the charges are still pending, dismissed, or led to conviction of a crime involving behavior that would negatively impact job performance. Be aware that if your record was sealed, a past conviction can still show up during a background check. If you're unsure how to answer questions about arrests on a job application, contact a legal aid agency listed in this brochure.

**Background checks must be applied in the same way to everyone.** You should never be given a background check because of your race, national origin, gender or other protected group. The Seattle Office for Civil Rights investigates these charges. Call us at (206) 684-4500.

## Housing Facts

*I was arrested for a crime. Does the Seattle Housing Authority consider arrests that did not lead to a conviction in its admission criteria?*

Except in the case of pending drug prosecutions, the Seattle Housing Authority (SHA) does not consider arrests. SHA does however make individual determinations about an applicant's eligibility based on the relevance of the criminal record. If you have a pending drug prosecution you can be denied admission.

*I've heard there are some crimes that ban you or a family member from HUD-funded housing for life. What are these?*

Yes, you can be banned for life if you are:

- A registered sex-offender
- Convicted of producing methamphetamines on the premises
- Abusing drugs or alcohol which threatens the health, safety or right to peaceful enjoyment of the premises by other residents.

*I want to move into a privately owned apartment building. Can they deny me just because I have a criminal record?*

Yes. Landlords are allowed to screen and deny housing to someone based on a past criminal conviction. Tenant screening must be applied consistently to all applicants. You cannot be screened based on your race, gender or other protected basis.

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*I was arrested last week for selling weed from the private house I rent. I haven't even been convicted yet but my landlord is trying to evict me. Can he do that?*

Yes. Landlords are allowed to evict a person who has been arrested (whether or not convicted) for:

- Engaging in gang or drug related activity, or allowing someone else to engage in these activities on the premises.
- Unlawful use of a firearm or other deadly weapon on the premises
- Assault that occurred on the premises.

Tenants are entitled to an unlawful detainer hearing at which the landlord must provide evidence that they actually did what is alleged. **Note: If you are a victim of domestic violence and receive a notice to vacate from your landlord, you may not have to move.** In Washington State, the fair housing laws and the Residential Landlord-Tenant Act provide some protections against evictions in this situation. Contact our office to determine your options.